

Limited English Proficiency

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1. PURPOSE

This plan formalizes the U.S. Merit Systems Protection Board's (MSPB) current practice of ensuring that MSPB's Federally conducted programs and activities, which are normally provided in English, are accessible to persons with limited English proficiency (LEP) and thus that the MSPB does not discriminate on the basis of national origin in violation of Title VI of the Civil Rights Act of 1964, as amended, and its implementing regulations.

2. AUTHORITY

Executive Order (EO) 13166 – Improving Access to Services for Persons with Limited English Proficiency, August 11, 2000; and Department of Justice Policy Document, Federal Register, Vol. 67, No. 117, Tuesday, June 18, 2002.

3. POLICY

It is MSPB's policy to communicate fully and effectively with employees, applicants, program participants, personnel of other Federal entities, and members of the public, including those individuals who have limited English proficiency; to be responsive to an LEP person's reasonable request to provide materials in an accessible format at MSPB's expense; and to inform LEP persons who need forms or information in other than English formats how to obtain them.

4. COVERAGE

The policy and procedures detailed in this plan apply to all of the MSPB's Federally conducted programs and activities.

5. REQUIREMENTS

Title VI requires each Federal agency to ensure that people who are not proficient in English can effectively participate in and benefit from an agency's Federally conducted programs and activities.

6. ASSESSMENT OF CURRENT NEED

As a small agency, whose customers/clientele are primarily other Federal employees, the MSPB receives very few requests from LEP persons for written and/or oral language interpreter assistance. In fact, each year there are fewer than 10 requests per 8500 appeals. These requests for language assistance occur primarily in offices that handle overseas appeals or which have large ethnic populations represented in the Federal workforce that they serve.

7. ASSESSMENT OF CURRENT PRACTICES

The MSPB currently provides an appropriate mix of written and oral language interpreter assistance to LEP persons to enable them access to the MSPB's programs and activities by the MSPB's use of: (1) its own personnel as translators; (2) relatives or friends of the LEP person; (3) professional interpreter services paid for by the agency for which the LEP person works; (4) professional interpreter services paid for by the MSPB; or, (5) contracts through the State Department or embassies (in Washington, DC), and CASU and FEB sponsored interpreter services in other geographic locations.

8. FUTURE SERVICES

As in the past, the MSPB will continue (on a case-by-case basis) to provide an appropriate mix of written and oral language interpreter assistance to LEP persons in order to provide LEP persons with meaningful access to the MSPB's Federally conducted programs and activities. In addition, and in accordance with DOJ guidance, the MSPB will decrease its reliance on the use of friends and relatives to act as interpreters for the LEP person. For future use, as needed, the MSPB will add to the language services already provided (see 7 above), appropriate language services that can be procured from the U.S. General Services Administration (GSA). Decisions regarding which language interpreter service is appropriate for use will continue to be within the discretion of the office directors in the office where the LEP person initiated his or her request.

9. PROCESS

As is current practice, the LEP person may continue to direct his or her request for interpreter/translator services and/or translation of a document/form, or other written policy or procedure, to:

U.S. Merit Systems Protection Board
Headquarters Offices
1615 M Street, NW
Washington, DC 20149

or to one of the MSPB's regional or field offices:

- a. Atlanta Regional Office
401 W. Peachtree Street, NW,
Suite 1050
Atlanta, GA 30308-3519

- b. Central Regional Office
230 South Dearborn Street
Room 3100
Chicago, IL 60604-1669
- c. Dallas Regional Office
1100 Commerce Street
Room 6F20
Dallas, TX 75242-9979
- d. Washington Regional Office
1800 Diagonal Road
Suite 205
Alexandria, VA 22314-2840
- e. Denver Field Office
165 South Union Boulevard
Suite 318
Lakewood, CO 80228-2211
- f. New York Field Office
26 Federal Plaza
Room 3137A
New York, NY 10278-0022
- g. Northeastern Regional Office
2nd and Chestnut Streets
Room 501
Philadelphia, PA 19106-2987
- h. Western Regional Office
250 Montgomery Street
Suite 400
San Francisco, CA 94104-3401

Individuals may be encouraged to use mail or e-mail to make a request to ensure receipt, but requests will be accepted via e-mail, mail, fax, or in person.

10. PROCESSING OF LEP PERSONS REQUEST

All LEP persons' requests for language assistance will continue to be processed in an expeditious manner. The length of time needed to address requests may

vary based upon the complexity of the individuals' needs, but will be acted on within 15 days of receipt.

11. ADJUSTMENTS IN PLAN

This plan will be monitored on an annual basis and may be modified as the Chairman deems appropriate.

12. DISSEMINATION OF INFORMATION

DOJ guidance requires outreach and notice to LEP persons and the community regarding an agency's plan for providing meaningful access to agency programs/services/activities for limited English proficient persons. To ensure ready access of this information to LEP persons, a copy of this plan will be placed on the MSPB's website and a copy of the link will be provided to the Department of Justice with a request that it be placed on the LEP.gov website.

13. EFFECTIVE DATE

This plan is effective immediately and remains in effect unless modified or rescinded by the Chairman.